



## Insurance Institute of Michigan

Insurance Institute of Michigan Position  
Motorcycle Helmet Law  
House Bill 4747  
As of March 22, 2010

The Insurance Institute of Michigan (IIM) opposes legislation (House Bill 4747) that would allow motorcyclists to ride without a helmet because it would result in more severe injuries and increase the cost of insurance for policyholders.

Michigan has a mandatory helmet use law for all riders and passengers. According to the National Highway Traffic Safety Administration, helmets are about 29 percent effective in preventing motorcycle deaths and 67 percent effective in preventing brain injuries. An unhelmeted rider is 40 percent more likely to suffer a fatal head injury, compared with a rider with a helmet.

In 2008, there were 3,969 motorcycle-related crashes in Michigan, an increase from the 3,723 motorcycle crashes in 2007. In 2008, there were 127 deaths and another 3,462 injuries resulting from motorcycle crashes.

If the mandatory helmet requirement is eliminated there will be a significant increase in severe head injuries and deaths from motorcycle crashes. Death rates from head injuries have been shown to be twice as high among motorcyclists in states with no helmet laws or laws that apply only to young riders, compared with states where laws apply to all riders. A December 2009 study by the National Highway Traffic Safety Administration found that motorcycle helmet laws saved 1,784 lives in 2007.

Motorcycle deaths and injuries are on the rise after the repeal of mandatory helmet laws in Florida, Kentucky and Louisiana. The National Highway Traffic Safety Administration found that in the three years after Florida's repeal of its mandatory helmet law in 2000, 933 motorcyclists were killed, an 81 percent increase. Another study found that fatalities grew by more than 50 percent in Kentucky and 100 percent in Louisiana after those states struck down mandatory helmet laws.

Motorcycle crashes also account for a disproportionate share of money paid out of the Michigan Catastrophic Claims Association (MCCA), a fund which is supported by a surcharge on every auto insurance policy in this state. Although motorcyclists represent 1.9 percent of the assessments paid into the MCCA, they account for 5 percent of all money paid out. Motorcyclists also represent 7.3 percent of all claims reported.

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Since its inception in 1978, MCCA has reimbursed member insurance companies more than \$321 million for 712 motorcycle injury claims exceeding the threshold. If the mandatory helmet law is repealed, serious injuries to motorcyclists will rise. Since Michigan's no-fault law allows lifetime benefits for all "reasonable and necessary" medical costs, the number of claims and the amount paid by the MCCA to reimburse insurance companies will increase, causing all policyholders in Michigan to pay more.

Opponents of the mandatory helmet law believe that it infringes on individual freedom of choice and the right to privacy. They argue that individuals who do not wear helmets harm mainly themselves. However, that is not the case at all. The consequences of that person's decision not to wear a helmet is borne by all of society through higher insurance premiums, lost productivity and increased health care costs.

Motorcycle riders who crash without a helmet rack up far larger hospital bills than those whose heads were protected in a crash, according to a University of Michigan (U of M) study. On average, helmet use led to average hospital costs that were about 20 percent or \$6,000 less than costs for those who didn't wear helmets. For patients who were treated on an inpatient rehabilitation floor at U of M after leaving the trauma unit, average costs for unhelmeted riders were nearly twice those of helmeted riders.

The state's mandatory helmet law for all motorcyclists saves lives and holds down costs associated with such crashes.

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